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22 ATTORNEYS FOR JOHN MATTHEW CHAPMAN

23 **UNITED STATES DISTRICT COURT**

24 **DISTRICT OF NEVADA**

25 UNITED STATES OF AMERICA,

26 Plaintiff,

v.

JOHN MATTHEW CHAPMAN,

Defendant.

Case No. 2:20-cr-0091-JCM-DJA

**MOTION TO WITHDRAW AS  
COUNSEL**

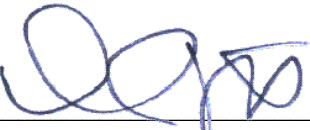
1 Attorney Theresa M. Duncan respectfully moves to withdraw as counsel for Defendant  
2 John Chapman. Because the indictment charged Mr. Chapman with a death-eligible offense,  
3 the Court appointed Ms. Duncan as learned counsel on July 13, 2020. ECF No. 32. On July  
4 13, 2023, the government filed a Notice of Intent Not to Seek the Death Penalty. ECF No.  
5 101. Because Mr. Chapman no longer faces the possibility of a death sentence, he is no longer  
6 entitled to learned counsel. Furthermore, Mr. Chapman has, since the beginning of this case,  
7 been represented by diligent, competent and qualified counsel from the Federal Public  
8 Defender. Thus, Ms. Duncan's services are no longer required in this case.

9  
10 For the foregoing reasons, Ms. Duncan asks the Court to allow her to withdraw as  
11 counsel for Mr. Chapman.  
12

13  
14 Respectfully submitted,

15 **IT IS SO ORDERED.**

16 DATED: 9/7/2023

17 

18 DANIEL J. ALBREGTS  
19 UNITED STATES MAGISTRATE JUDGE

/s/ Theresa M. Duncan  
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20 Attorney for Defendant John Matthew Chapman

21 **CERTIFICATE OF SERVICE**

22 I hereby certify that a true and correct copy of the foregoing pleading was served on  
23 all parties by operation of the Court's CM/ECF electronic filing system on September 6,  
24 2023.  
25

26 /s/ Theresa M. Duncan  
Theresa M. Duncan